



# *Arizona Peace Officer Standards and Training Board*

2643 East University Drive Phoenix, Arizona 85034-6914 Phone (602) 223-2514 Fax (602) 244-0477

## **Minutes of Meeting December 20, 2017**

A public meeting of the Arizona Peace Officer Standards and Training Board was convened on December 20, 2017, at the Arizona Peace Officer Standards and Training Board, located at 2643 E. University Drive, Phoenix, AZ.

### Members Present:

Sheriff Scott Mascher, Yavapai County Sheriff's Office, Chairman  
Assistant Attorney General Paul Ahler, representing Attorney General Mark Brnovich  
Sergeant Chris Andreacola, Tucson Police Department  
Chief Byron Gwaltney, Pima County Sheriff's Department  
Chief Lawrence Hall, Buckeye Police Department  
Mr. Andrew LeFevre, Grand Canyon University  
Colonel Frank Milstead, Arizona Department of Public Safety  
Chief Alan Rodbell, Scottsdale Police Department  
Director Charles Ryan, AZ Department of Corrections  
Ms. Paula Veach, Public Member  
Mr. Richard Wooten, Public Member

### Members Absent:

Sergeant Leo Aparicio, Pinal County Sheriff's Office  
Sheriff Mark Dannels, Cochise County Sheriff's Office

### Staff in Attendance:

Jack G. Lane, Executive Director  
Ted Brandon, Compliance Specialist  
Billy Caldwell, Compliance Specialist  
Mike Deltenre, Compliance Specialist  
Cathy Hawse, Compliance Specialist  
Arlene Heckel, Compliance Specialist  
Steve Jacobs, Compliance Specialist  
Mike Orose, Compliance Specialist  
Mark Perkovich, Program Administrator  
Sandy Sierra, Administrative Services Officer  
Lori Wait, Compliance Specialist

### Assistant Attorneys General:

Michael Saltz  
Seth Hargraves

**A. Call to Order**

Chairman Mascher called the meeting to order at 10:00 a.m. and asked Colonel Milstead to lead everyone in reciting the Pledge of Allegiance.

**B. Introductions, Presentations and Announcements**

*Jack G. Lane, Executive Director*

- A Moment of Silence was observed in honor of El Mirage Police Officer Paul Lazinsky.
- There are a few amendments to today's agenda.
- The two public members, Mr. Richard Wooten and Ms. Paula Veach are in attendance at today's meeting.
- A plaque was presented to Ted Brandon, Compliance Specialist at AZ POST in appreciation for his 22 years of service. Ted will be retiring at the end of this month and will be greatly missed by all.
- The Basic Curriculum Project is on track. This project will update the basic training curriculum for the academies. The last time an update of this type was done was 1992. A Technical Advisory Committee will be formed; numerous recommendations have already been received. Agencies with officers who have graduated within the past five years will be surveyed, along with the field supervisors of these officers. The surveys should go live in March.

**C. Executive Director's Report**

*Jack G. Lane, Executive Director*

- CJEF revenues for November were just slightly below average; but we are currently on track concerning this year's fiscal budget.
- AZ POST was recently awarded a grant from the Department of Health Services for \$140,000 over the next four years to assist with Naloxone training.
- The Budget Subcommittee met on November 29, 2017, and will meet again on January 17, 2018 in the afternoon. Recommended funding models, to be implemented in 2019, will be discussed at this meeting.

**D. Review, Discussion and Possible Action on a Petition from the Arizona Corporation Commission – Securities Division for a Restricted Peace Officer Certification for Applicant Alex M. Ramirez III**

The Arizona Corporation Commission petitioned the Board to grant a restricted peace officer certification to Alex M. Ramirez based upon medical limitations. Officer Ramirez will be restricted from being carrying a weapon on duty and he will not place himself or be placed in a situation which would expose him to the risk of physical confrontation. The restricted certification is only effective while Officer Ramirez is employed with the Arizona Corporation Commission.

Chief Hall made a motion to grant a restricted peace officer certification to Officer Alex M. Ramirez III. This certification would restrict Officer Ramirez from carrying a weapon on duty, and that he not place himself, or be placed in a situation which would expose him to the risk of

physical confrontation while employed with the Arizona Corporation Commission, seconded by Mr. Ahler (AAG) and failed. The petition was not granted.

**E. Review, Discussion and Possible Action on a Petition from the Eloy Police Department for a Restricted Peace Officer Certification for Chief Chris Vasquez**

The Eloy Police Department petitioned the Board to grant a restricted peace officer certification to Chief Chris Vasquez based upon physical limitations. Chief Vasquez will be restricted from being assigned any duty likely to result in the need to apply physical force, and further, the potential for such need is so remote as to be highly unlikely. The restricted certification is only effective while Chief Vasquez is employed with the Eloy Police Department.

Chief Hall made a motion to grant a restricted peace officer certification to Chief Chris Vasquez. This certification would restrict Chief Vasquez Officer from being assigned any duty likely to result in the need to apply physical force, and further, the potential for such need is so remote as to be highly unlikely and is only effective while Chief Vasquez is employed with the Eloy Police Department, seconded by Chief Gwaltney and passed unanimously.

**F. Consent Agenda**

Chief Rodbell made a motion to accept the Consent Agenda. The motion was seconded by Colonel Milstead and passed unanimously.

Consent Agreements for Voluntary Relinquishment of Peace Officer Certification were accepted by the Board for the following:

- |                         |        |                                   |
|-------------------------|--------|-----------------------------------|
| 1. Jaime F. Gutierrez   | 15-182 | Tucson Police Department          |
| 2. Brian L. Havey       | 17-140 | Gila County Sheriff’s Office      |
| 3. Christopher J. Ralph | 17-149 | Paradise Valley Police Department |
| 4. Elijah J. Woodward   | 17-109 | Oro Valley Police Department      |

**G. Final Action Cases:**

1. #17-078 – Abraham A. Cabrera – San Carlos Tribal Police Department  
The Board considered comments from Compliance Manager Mark Perkovich. Mr. Ahler (AAG) made a motion to accept the Findings of Fact and Conclusions of Law and revoke Mr. Cabrera’s peace officer certification. The motion was seconded by Colonel Milstead and passed unanimously.
2. #17-073 – Decio P. Hopffer – Tucson Police Department  
*Sergeant Andreacola recused himself from this case.* The Board considered comments from Compliance Manager Mark Perkovich. Chief Rodbell made a motion to accept the Findings of Fact and Conclusions of Law and revoke Mr. Hopffer’s peace officer certification. The motion was seconded by Chief Hall and passed unanimously.

3. 17-053 – Kenneth K. Kimpel – Pima County Sheriff’s Department  
*Chief Gwaltney recused himself from this case.* The Board considered comments from Compliance Manager Mark Perkovich. Chief Hall made a motion to accept the Findings of Fact and Conclusions of Law and revoke Mr. Kimpel’s peace officer certification. The motion was seconded by Colonel Milstead and passed unanimously.
4. #17-044 – Paul R. Robertson – Glendale Police Department  
The Board considered comments from Compliance Manager Mark Perkovich. Colonel Milstead made a motion to accept the Findings of Fact and Conclusions of Law and revoke Mr. Robertson’s peace officer certification. The motion was seconded by Mr. Ahler (AAG) and passed unanimously.
5. #17-069 – Arnold I. Romero – Pima County Sheriff’s Department  
*Chief Gwaltney recused himself from this case.* The Board considered comments from Compliance Manager Mark Perkovich. Sergeant Andreacola made a motion to accept the Findings of Fact and Conclusions of Law and suspend Mr. Romero’s peace officer certification for three years; from March 14, 2017 to March 14, 2020, at which time his peace officer certification will lapse. The motion was seconded by Chief Rodbell and passed unanimously.

#### H. New Charging Cases:

1. #17-143 – Ronald C. Brown – Navajo Division of Public Safety  
The Board considered comments from Compliance Specialist Ted Brandon. Chief Rodbell made a motion to **Resolve in the Future**. The motion was seconded by Colonel Milstead and passed unanimously.
2. #17-157 – Daniel J. LaBarbera – AZ Department of Public Safety  
*Colonel Milstead recused himself from this case.* The Board considered comments from Compliance Specialist Ted Brandon. Chief Gwaltney made a motion to **Initiate Proceedings** to deny Mr. LaBarbera peace officer certification. The motion was seconded by Chief Rodbell and passed unanimously.
3. #17-111 – Tania A. Silva – AZ Department of Public Safety  
*Colonel Milstead recused himself from this case.* The Board considered comments from Compliance Specialist Ted Brandon. The Board voted to initiate proceedings against Ms. Silva’s peace officer certification on October 18, 2017. The case overview has since been amended and the Board must take action once again. Mr. Ahler made a motion to **Reinitiate Proceedings** (as amended) to deny Ms. Silva peace officer certification. The motion was seconded by Chief Rodbell and passed unanimously.
4. #17-090 – Jared P. Griffith – Buckeye Police Department  
*Chief Hall recused himself from this case.* The Board considered comments from Compliance Specialist Billy Caldwell. Chief Gwaltney made a motion to close this case with **No Action with Agency Discretion**. The motion was seconded by Mr. Ahler (AAG) and passed unanimously.

5. #17-160 – Taylor E. Barlow – Colorado City Marshal’s Office  
The Board considered comments from Compliance Specialist Mike Deltenre. Chief Hall made a motion to **Initiate Proceedings** to deny Mr. Barlow peace officer certification. The motion was seconded by Colonel Milstead and passed unanimously.
6. #17-148 – Frank J. Sloup – Maricopa County Sheriff’s Office  
The Board considered comments from Compliance Specialist Mike Deltenre. Chief Gwaltney made a motion to close this case with **No Action with Agency Discretion**. The motion was seconded by Colonel Milstead and passed unanimously.
7. #17-104 – Charles K. Foley – Tucson Police Department  
*Sergeant Andreacola recused himself from this case.* The Board considered comments from Compliance Specialist Cathy Hawse. Mr. LeFevre made a motion to **Initiate Proceedings** against Mr. Foley’s peace officer certification. The motion was seconded by Chief Hall and passed unanimously.
8. #17-158 – Anthony L. Levy – Tucson Police Department  
*Sergeant Andreacola recused himself from this case.* The Board considered comments from Compliance Specialist Cathy Hawse. Chief Rodbell made a motion to **Initiate Proceedings** against Mr. Levy’s peace officer certification. The motion was seconded by Chief Gwaltney and passed unanimously.
9. #17-114 – Michael P. Sauber – Tucson Police Department  
*Sergeant Andreacola recused himself from this case.* The Board considered comments from Compliance Specialist Cathy Hawse. Chief Rodbell made a motion to **Resolve in the Future**. The motion was seconded by Colonel Milstead and passed unanimously.
10. #17-123 – Juan J. Chavez-Munoz Jr. – Phoenix Police Department  
*Ms. Veach recused herself from this case.* The Board considered comments from Compliance Specialist Steve Jacobs. Colonel Milstead made a motion to **Initiate Proceedings** against Mr. Munoz’s peace officer certification. The motion was seconded by Chief Rodbell and passed unanimously.
11. #17-142 – Julie M. Smith – Phoenix Police Department  
The Board considered comments from Compliance Specialist Steve Jacobs. Chief Rodbell made a motion to **Initiate Proceedings** against Ms. Smith’s peace officer certification. The motion was seconded by Director Ryan and passed unanimously.
12. #16-167 – Anthony T. LeClaire – Scottsdale Police Department  
*Chief Rodbell recused himself from this case.* The Board considered comments from Compliance Specialist Mike Orose. Sergeant Andreacola made a motion to **Initiate Proceedings** against Mr. LeClaire’s peace officer certification. The motion was seconded by Mr. Ahler (AAG) and passed unanimously.

13. #16-153 – Adam R. Sanetra – Scottsdale Police Department

*Chief Rodbell recused himself from this case.* The Board considered comments from Compliance Specialist Mike Orose. Chief Hall made a motion to **Initiate Proceedings** against Mr. Sanetra's peace officer certification. The motion was seconded by Colonel Milstead and passed unanimously.

14. #16-075 – Matthew T. Chuey – Mesa Police Department

The Board considered comments from Compliance Specialist Lori Wait. The Board voted to initiate proceedings against Mr. Chuey's peace officer certification on June 15, 2016. The case overview has since been amended and the Board must take action once again. Chief Rodbell made a motion to **Reinitiate Proceedings** (as amended) against Mr. Chuey's peace officer certification. The motion was seconded by Director Ryan and passed unanimously.

15. #17-135 – William W. Murray – AZ Department of Transportation-ECD

The Board considered comments from Compliance Specialist Lori Wait. Chief Hall made a motion to **Initiate Proceedings** against Mr. Murray's peace officer certification. The motion was seconded by Colonel Milstead and passed unanimously.

**I. Future Agenda Items**

The discussion on DUIs, to determine what needs to be done to ensure consistency in dealing with cases that come before the Board, will be on the January agenda.

**J. Adjournment**

The meeting was adjourned at 11:30 a.m.